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Attorneys for Defendant/Counter-Plaintiff,  
 KEATING DENTAL ARTS, INC.

IN THE UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 SOUTHERN DIVISION

JAMES R. GLIDEWELL DENTAL  
 CERAMICS, INC. dba GLIDEWELL  
 LABORATORIES,

Plaintiff,

v.

KEATING DENTAL ARTS, INC.

Defendant.

AND RELATED COUNTERCLAIMS.

Civil Action No.  
 SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER  
 GRANTING KEATING  
 DENTAL ARTS, INC.'S  
 MOTION FOR SUMMARY  
 JUDGMENT CANCELLING  
 GLIDEWELL'S  
 TRADEMARK  
 REGISTRATION**

Honorable David O. Carter

1 Having considered defendant Keating Dental Arts, Inc.'s motion for  
2 summary judgment cancelling James R. Glidewell Dental Ceramics, Inc. d/b/a  
3 Glidewell Laboratories' ("Glidewell") Trademark Registration and all papers  
4 filed in support thereof, all papers in opposition thereto filed by Glidewell, and  
5 the oral argument of counsel (if any) at any hearing on the motion, and good  
6 cause appearing therefor, the Court hereby GRANTS the motion of Keating  
7 Dental Arts, Inc. as follows:

8 1. Keating is entitled to judgment as a matter of law that Glidewell's  
9 BRUXZIR trademark is invalid on the grounds that it is generic and/or merely  
10 descriptive and has not attained secondary meaning in the minds of consumers.

11 2. The Court therefore grants summary judgment in Keating's favor  
12 on Keating's claim for cancelation of Glidewell's U.S. Trademark Registration  
13 No. 3,739,663 for the mark BRUXZIR.

14 **IT IS SO ORDERED.**

15  
16 Dated: \_\_\_\_\_

17 \_\_\_\_\_  
JUDGE DAVID O. CARTER

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